

**CITY OF MUSKOGEE POLICY**  
**PROHIBITING HARASSMENT OR OTHER BEHAVIOR WHICH**  
**COULD CREATE A HOSTILE WORK ENVIRONMENT**

**Purpose:** The City of Muskogee is committed to providing a work environment in which all people are treated with respect and dignity. Any type of harassment, or other behavior which could create a hostile work environment, is strictly prohibited. This includes harassment based on race, religion, age, sex, marital status, national origin, ancestry, disability, or sexual orientation.

**Definitions of Prohibited Behavior**

1. **HARASSMENT** – engaging in conversation, comments, or behavior related to one or more of the categories listed below that is known or might reasonably be known to be unwelcome/unwanted, offensive, intimidating, hostile, or inappropriate, which adversely affects the working environment or the employment of the individual.

This may include, but is not limited to: demeaning gestures, remarks, jokes, taunting, innuendo, display of offensive printed materials or pictures/cartoons, offensive graffiti, threats, verbal or physical assault, stalking, slurs, shunning or exclusion related to the prohibited category.

2. **SEXUAL HARASSMENT** – engaging in a course of conduct of a gender-related or sexual nature that is known or might reasonably be known to be unwelcome/unwanted, offensive, intimidating, hostile, or inappropriate. Depending on its severity, one action may constitute sexual harassment.

This may include, but is not limited to:

- demeaning gestures, remarks and jokes;
- slurs, taunting, innuendo based on gender or sexual orientation;
- unwanted physical contact;
- leering;
- inappropriate comments about clothing, physical characteristics or activities;
- unwanted questions or comments about one's private life, sexual orientation, marital or family status;
- any display of sexually oriented material;
- solicitation;
- unwanted attention;
- implied or expressed promise of reward or benefit in return for sexual favors;
- implied or expressed threat or act of reprisal if sexual favors are not given;
- sexual assault.

3. **RACIAL/ETHNIC/CULTURAL HARASSMENT** – engaging in a course of conduct negatively relating to race/ethnicity/culture that is known or might reasonably be known to be unwelcome/unwanted, offensive, intimidating, hostile, derogatory or inappropriate. Depending on its severity, one action may constitute racial/ethnic/cultural harassment.

This may include but is not limited to:

- demeaning remarks or gestures based on race, ethnic origin or cultural differences;
- jokes about race, ethnic origin or cultural differences;
- inappropriate displays of racial stereotypes;

- racial/ethnic/cultural slurs;
  - unwanted questions or comments of a racial/ethnic nature about one's private life;
  - physical assault.
4. **HARASSMENT BASED ON AGE, RELIGION, DISABILITY** or any other personal belief, condition, or circumstance which would have the effect of alienating or demeaning an individual in the work place.

### **Reporting Harassment**

1. **VICTIMS OF HARASSMENT:** If you believe that you are being harassed, you should clearly and promptly tell the offender that you want him or her to stop the behavior that is offensive. If, for any reason, you do not wish to confront the offender directly, or if confrontation does not successfully end the harassment, you should immediately report the harassment to any one of the following people:
  - a. Your Department Head, Fire Chief, or Police Chief
  - b. The Personnel Director
  - c. The City Manager
2. **Employees who Witness Harassment:** Any employee who witnesses harassment or becomes aware that another employee has been subjected to prohibited harassment is also urged to immediately report the conduct to one of the people listed above.
3. **Supervisors and Managers:** Any supervisor or manager who witnesses, receives a complaint, or in any other way learns of potential harassment, must immediately report it to the Personnel Director or to the City Manager. Ignoring such conduct or complaint is not acceptable and may subject the supervisor or manager to disciplinary action.
4. **The Offending Person:**
  - Stop the behavior immediately
  - If you feel you may have harassed someone, take action;
  - Apologize.
  - Ask your supervisor for advice and to accompany you when you talk to the potentially offended individual, or to intervene on your behalf;
  - Talk to the recipient and discuss how we can communicate more effectively;
  - If a formal complaint has been filed, demonstrate full cooperation in the investigation.
  - Avoid any appearance of reprisal whether direct or indirect.

**Retaliation:** Any form of retaliation against employees who report harassment or who participate in internal or external investigations of harassment is strictly forbidden. All employees are strongly urged to report all instances of retaliation to one of the individuals listed above. **No person will be adversely affected in employment with the City as a result of reporting complaints of harassment.**

**Investigating Complaints:** All complaints or reports of harassment will be taken seriously and will be promptly investigated. Employees are expected to participate and cooperate in investigations when requested.

**Corrective Action:** If an investigation confirms that harassment has occurred, prompt disciplinary action will be taken up to and including termination, depending on the particular circumstances.

**False or Malicious Reports:** Any individual who intentionally makes a false claim of harassment is also subject to discipline, up to and including termination.

**Relation to Other Policies:** This Policy supersedes in entirety the Sexual Harassment Policy adopted by the City of Muskogee on October 12, 1998. The Policy supplements the Affirmative Action Plan and the Policy Statement Implementing Provisions of the Americans with Disabilities Act, both adopted by the City of Muskogee on March 23, 1992.

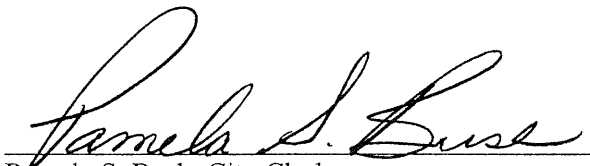
**Effective Date:** This policy becomes effective May 1, 2003.

Adopted by the City Council this 24th day of March, 2003



Hershel McBride, Mayor

ATTEST:



Pamela S. Bush, City Clerk

(Seal)

